DETAILED ACTION

1. This Office Action is in response to the amendment filed 04 June 2010.

2. Claims 13-19 were amended.

3. Claims 1-12, 20, and 21 were cancelled.

4. Claims 23-26 were added.

5. Claims 13-19 and 22-26 are pending in this Office Action.

Claim Rejections - 35 USC § 101

6. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

7. Claims 13-19 are rejected under 35 U.S.C. 101 as being drawn to non-statutory subject matter. The program is embodied on a computer readable storage medium. Said medium is interpreted to include non-statutory subject matter such as carrier waves, signals, and communication media because carrier waves, signals, and communication media store data within the wave, signal or media. The examiner encourages applicant to amend the claims and specification with explicit arguments that the medium is 'non-transitory' or 'non-transmissible.'

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9. Claims 13-16, 19, and 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bailey et al. (U.S. 2002/0107971) in view of Mohaban et al. (U.S. 7,346,677) and further in view of Haumont et al. (U.S. 7,023,825).

Bailey teaches the invention substantially as claimed including a network endpoint system receives requests delivered in packet format via a network. The system uses a transport accelerator at its front end, which performs all or some of the network protocol processing. The transport accelerator is directly connected to one or more processing units, which respond to the requests. The protocol processing may be partitioned between the transport accelerator and the processing units in a manner that best uses their different processing capabilities (see Abstract).

10. With respect to claim 13, Bailey teaches a network storage device, comprising: computer readable storage medium; and computer readable program code residing in said storage medium (Bailey, page 7, paragraph 70), including program code that is executed to: receiving an incoming transaction; define a usage policy that assigns a priority to the incoming transaction based on the data in the meta data field and that assigns priorities to outgoing transactions (Bailey, page 9, paragraph 82).

Bailey does not explicitly teach a transaction having a data field that includes a meta data field with data and a priority field with a requested priority.

However, Mohaban teaches a transaction having a data field that includes a meta data field with data (Mohaban, Fig. 1A, elements 102, 104, 106; col. 2, lines 51-65) and a priority field with a requested priority (Mohaban, Fig. 1A, element 108; col. 2, lines 51-65).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bailey in view of Mohaban in order to enable a transaction having a data field that includes a meta data field with data and a priority field with a requested priority. One would be motivated to do so in order to integrate applications into a policy-based networking system, and enable applications to participate in deciding how to apply a particular QoS to a traffic flow generated by the application (Mohaban, col. 4, lines 52-56).

The combination of Bailey and Mohaban does not explicitly teach overriding the priority based on the data in the meta data field with the requested priority included in the priority field of the incoming transaction.

However, Haumont teaches override the priority based on the data in the meta data field with the requested priority included in the priority field of the incoming transaction (Haumont, col. 9, lines 26-29).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Bailey and Mohaban in view of Haumont in order to override the priority based on the data in the meta data field with the requested priority included in the priority field of the incoming transaction. One would be motivated to do so in order to enable a QoS scheme which provides support for Internet applications and their QoS

requirements in communications systems having a packet data transmission capability (Haumont, col. 7, lines 8-11).

11. With respect to claim 14, Bailey teaches the invention described in claim 13, including a network storage device, comprising: computer readable storage medium; and computer readable program code residing in said storage medium (Bailey, page 7, paragraph 70), including program code that is executed to: receiving an incoming transaction; define a usage policy that assigns a priority to the incoming transaction based on the data in the meta data field and that assigns priorities to outgoing transactions (Bailey, page 9, paragraph 82); and the network storage device wherein said program code is further executed to: read, by an agent in the network storage device, the data in the meta data field (Bailey, page 9, paragraph 82); and prioritize the incoming transaction based on a comparison of the data to the conditions in the table (Bailey, page 9, paragraph 82).

Bailey does not explicitly teach a transaction having a data field that includes a meta data field with data and a priority field with a requested priority.

However, Mohaban teaches a transaction having a data field that includes a meta data field with data (Mohaban, Fig. 1A, elements 102, 104, 106; col. 2, lines 51-65) and a priority field with a requested priority (Mohaban, Fig. 1A, element 108; col. 2, lines 51-65); and compare the data to conditions defined in a table having the usage policy (Mohaban, col. 11, line 34 – col. 12, line 4).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bailey in view of Mohaban in order to enable a transaction having a

data field that includes a meta data field with data and a priority field with a requested priority. One would be motivated to do so in order to integrate applications into a policy-based networking system, and enable applications to participate in deciding how to apply a particular QoS to a traffic flow generated by the application (Mohaban, col. 4, lines 52-56).

12. With respect to claim 15, Bailey teaches the invention described in claim 13, including the network storage device wherein said computer readable program code further comprises program code for identifying said network storage device (Bailey, page 8, paragraph 71), and wherein said network storage device is a NAS device (Bailey, page 3, paragraph 40).

13. With respect to claim 16, Bailey teaches the invention described in claim 13, including a network storage device, comprising: computer readable storage medium; and computer readable program code residing in said storage medium (Bailey, page 7, paragraph 70), including program code that is executed to: receiving an incoming transaction; define a usage policy that assigns a priority to the incoming transaction based on the data in the meta data field and that assigns priorities to outgoing transactions (Bailey, page 9, paragraph 82).

Bailey does not explicitly teach a transaction having a data field that includes a meta data field with data and a priority field with a requested priority.

However, Mohaban teaches a transaction having a data field that includes a meta data field with data (Mohaban, Fig. 1A, elements 102, 104, 106; col. 2, lines 51-65) and a priority field with a requested priority (Mohaban, Fig. 1A, element 108; col. 2, lines 51-65); and the network storage device wherein the priority based on the data in the meta data field is based

on an application ID of an application originating the incoming transaction (Mohaban, col. 13, lines 17-32).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bailey in view of Mohaban in order to enable a transaction having a data field that includes a meta data field with data and a priority field with a requested priority. One would be motivated to do so in order to integrate applications into a policy-based networking system, and enable applications to participate in deciding how to apply a particular QoS to a traffic flow generated by the application (Mohaban, col. 4, lines 52-56).

14. With respect to claim 19, Bailey teaches the invention described in claim 13, including the network storage device wherein an agent in the network storage device assigns a priority to the incoming transaction based on the data in the meta data field (Bailey, page 9, paragraph 82).

15. With respect to claim 22, Bailey teaches a method for managing transactions at a network storage device, comprising: receiving, at the network storage device, an incoming transaction; assigning, by an agent at the network storage device, a priority to the incoming transaction based on the data in the meta data field satisfying a condition (Bailey, page 9, paragraph 82).

Bailey does not explicitly teach a transaction having a data field that includes a meta data field with data and a priority field with a requested priority.

However, Mohaban teaches a transaction having a data field that includes a meta data field with data (Mohaban, Fig. 1A, elements 102, 104, 106; col. 2, lines 51-65) and a priority field with a requested priority (Mohaban, Fig. 1A, element 108; col. 2, lines 51-65); and a usage policy (Mohaban, col. 11, line 34 – col. 12, line 4).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bailey in view of Mohaban in order to enable a transaction having a data field that includes a meta data field with data and a priority field with a requested priority. One would be motivated to do so in order to integrate applications into a policy-based networking system, and enable applications to participate in deciding how to apply a particular QoS to a traffic flow generated by the application (Mohaban, col. 4, lines 52-56).

The combination of Bailey and Mohaban does not explicitly teach overriding the priority based on the data in the meta data field with the requested priority included in the priority field of the incoming transaction.

However, Haumont teaches overriding, at the network storage device, the priority based on the data in the meta data field with the requested priority included in the priority field of the incoming transaction (Haumont, col. 9, lines 26-29).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Bailey and Mohaban in view of Haumont in order to override the priority based on the data in the meta data field with the requested priority included in the priority field of the incoming transaction. One would be motivated to do so in order to enable a QoS scheme which provides support for Internet applications and their QoS

requirements in communications systems having a packet data transmission capability (Haumont, col. 7, lines 8-11).

16. With respect to claim 23, Bailey teaches the invention described in claim 22, including a method for managing transactions at a network storage device, comprising: receiving, at the network storage device, an incoming transaction; assigning, by an agent at the network storage device, a priority to the incoming transaction based on the data in the meta data field satisfying a condition (Bailey, page 9, paragraph 82); the method further comprising: reading, by the agent, the data in the meta data field (Bailey, page 9, paragraph 82); and prioritizing the incoming transaction based on a comparison of the data to the conditions in the table (Bailey, page 9, paragraph 82).

Bailey does not explicitly teach a transaction having a data field that includes a meta data field with data and a priority field with a requested priority.

However, Mohaban teaches a transaction having a data field that includes a meta data field with data (Mohaban, Fig. 1A, elements 102, 104, 106; col. 2, lines 51-65) and a priority field with a requested priority (Mohaban, Fig. 1A, element 108; col. 2, lines 51-65); and comparing the data to conditions defined in a table having the usage policy (Mohaban, col. 11, line 34 – col. 12, line 4); and a usage policy (Mohaban, col. 11, line 34 – col. 12, line 4).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bailey in view of Mohaban in order to enable a transaction having a data field that includes a meta data field with data and a priority field with a requested priority. One would be motivated to do so in order to integrate applications into a policy-

based networking system, and enable applications to participate in deciding how to apply a particular QoS to a traffic flow generated by the application (Mohaban, col. 4, lines 52-56).

17. With respect to claim 24, Bailey teaches the invention described in claim 22, including a method for managing transactions at a network storage device, comprising: receiving, at the network storage device, an incoming transaction; assigning, by an agent at the network storage device, a priority to the incoming transaction based on the data in the meta data field satisfying a condition (Bailey, page 9, paragraph 82).

Bailey does not explicitly teach a transaction having a data field that includes a meta data field with data and a priority field with a requested priority.

However, Mohaban teaches a transaction having a data field that includes a meta data field with data (Mohaban, Fig. 1A, elements 102, 104, 106; col. 2, lines 51-65) and a priority field with a requested priority (Mohaban, Fig. 1A, element 108; col. 2, lines 51-65); a usage policy (Mohaban, col. 11, line 34 – col. 12, line 4); and the method wherein said priority based on the data in the meta data field includes an application ID of an application originating the incoming transaction (Mohaban, col. 13, lines 17-32).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bailey in view of Mohaban in order to enable a transaction having a data field that includes a meta data field with data and a priority field with a requested priority. One would be motivated to do so in order to integrate applications into a policy-based networking system, and enable applications to participate in deciding how to apply a particular QoS to a traffic flow generated by the application (Mohaban, col. 4, lines 52-56).

18. Claims 17 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bailey in view of Mohaban in view of Haumont and further in view of Courtright, II et al. (U.S. 6,157,963).

19. With respect to claim 17, Bailey teaches the invention described in claim 16, including a network storage device, comprising: computer readable storage medium; and computer readable program code residing in said storage medium (Bailey, page 7, paragraph 70), including program code that is executed to: receiving an incoming transaction; define a usage policy that assigns a priority to the incoming transaction based on the data in the meta data field and that assigns priorities to outgoing transactions (Bailey, page 9, paragraph 82).

Bailey does not explicitly teach a transaction having a data field that includes a meta data field with data and a priority field with a requested priority.

However, Mohaban teaches a transaction having a data field that includes a meta data field with data (Mohaban, Fig. 1A, elements 102, 104, 106; col. 2, lines 51-65) and a priority field with a requested priority (Mohaban, Fig. 1A, element 108; col. 2, lines 51-65).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bailey in view of Mohaban in order to enable a transaction having a data field that includes a meta data field with data and a priority field with a requested priority. One would be motivated to do so in order to integrate applications into a policy-based networking system, and enable applications to participate in deciding how to apply a particular QoS to a traffic flow generated by the application (Mohaban, col. 4, lines 52-56).

The combination of Bailey and Mohaban does not explicitly teach overriding the priority based on the data in the meta data field with the requested priority included in the priority field of the incoming transaction.

However, Haumont teaches override the priority based on the data in the meta data field with the requested priority included in the priority field of the incoming transaction (Haumont, col. 9, lines 26-29).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Bailey and Mohaban in view of Haumont in order to override the priority based on the data in the meta data field with the requested priority included in the priority field of the incoming transaction. One would be motivated to do so in order to enable a QoS scheme which provides support for Internet applications and their QoS requirements in communications systems having a packet data transmission capability (Haumont, col. 7, lines 8-11).

The combination of Bailey, Mohaban and Haumont does not explicitly teach the network storage device wherein the meta data field includes both a user ID and a purpose for accessing the network storage device.

However, Courtright teaches the network storage device wherein the meta data field includes both a user ID (Courtright, col. 4, line 58 – col. 5, line 5 and col. 7, lines 3- 12) and a purpose for accessing (Courtright, col. 5, lines 55-67) the network storage device (Courtright, col. 2, line 56 – col. 3, line 16 and col. 8, line 44 – col. 9, line 7).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Bailey, Mohaban and Haumont in view of Courtright

in order to enable the network storage device wherein the meta data field includes both a user ID and a purpose for accessing the network storage device. One would be motivated to do so in order to enable certain users to have priority for performing tasks which require quicker response times than tasks initiated by other users (Courtright, col. 1, lines 31-33).

20. With respect to claim 25, Bailey teaches the invention described in claim 22, including a method for managing transactions at a network storage device, comprising: receiving, at the network storage device, an incoming transaction; assigning, by an agent at the network storage device, a priority to the incoming transaction based on the data in the meta data field satisfying a condition (Bailey, page 9, paragraph 82); and the method wherein the priority based on the data (Bailey, page 9, paragraph 82).

Bailey does not explicitly teach a transaction having a data field that includes a meta data field with data and a priority field with a requested priority.

However, Mohaban teaches a transaction having a data field that includes a meta data field with data (Mohaban, Fig. 1A, elements 102, 104, 106; col. 2, lines 51-65) and a priority field with a requested priority (Mohaban, Fig. 1A, element 108; col. 2, lines 51-65); and a usage policy (Mohaban, col. 11, line 34 – col. 12, line 4).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bailey in view of Mohaban in order to enable a transaction having a data field that includes a meta data field with data and a priority field with a requested priority. One would be motivated to do so in order to integrate applications into a policy-

based networking system, and enable applications to participate in deciding how to apply a particular QoS to a traffic flow generated by the application (Mohaban, col. 4, lines 52-56).

The combination of Bailey and Mohaban does not explicitly teach overriding the priority based on the data in the meta data field with the requested priority included in the priority field of the incoming transaction.

However, Haumont teaches overriding, at the network storage device, the priority based on the data in the meta data field with the requested priority included in the priority field of the incoming transaction (Haumont, col. 9, lines 26-29).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Bailey and Mohaban in view of Haumont in order to override the priority based on the data in the meta data field with the requested priority included in the priority field of the incoming transaction. One would be motivated to do so in order to enable a QoS scheme which provides support for Internet applications and their QoS requirements in communications systems having a packet data transmission capability (Haumont, col. 7, lines 8-11).

The combination of Bailey, Mohaban and Haumont does not explicitly teach the data in the meta data field includes both a user ID and a purpose for accessing the network storage device.

However, Courtright teaches the method wherein the priority based on the data in the meta data field includes both a user ID (Courtright, col. 4, line 58 – col. 5, line 5 and col. 7, lines 3- 12) and a purpose for accessing (Courtright, col. 5, lines 55-67) the network storage device (Courtright, col. 2, line 56 – col. 3, line 16 and col. 8, line 44 – col. 9, line 7).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Bailey, Mohaban and Haumont in view of Courtright in order to enable the network storage device wherein the meta data field includes both a user ID and a purpose for accessing the network storage device. One would be motivated to do so in order to enable certain users to have priority for performing tasks which require quicker response times than tasks initiated by other users (Courtright, col. 1, lines 31-33).

21. Claims 18 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bailey in view of Mohaban in view of Haumont and further in view of Bell et al. (U.S. 2002/0049778).

22. With respect to claim 18, Bailey teaches the invention described in claim 13, including a network storage device, comprising: computer readable storage medium; and computer readable program code residing in said storage medium (Bailey, page 7, paragraph 70), including program code that is executed to: receiving an incoming transaction; define a usage policy that assigns a priority to the incoming transaction based on the data in the meta data field and that assigns priorities to outgoing transactions (Bailey, page 9, paragraph 82); and the network storage device wherein the priority based on data (Bailey, page 9, paragraph 82).

Bailey does not explicitly teach a transaction having a data field that includes a meta data field with data and a priority field with a requested priority.

However, Mohaban teaches a transaction having a data field that includes a meta data field with data (Mohaban, Fig. 1A, elements 102, 104, 106; col. 2, lines 51-65) and a priority field with a requested priority (Mohaban, Fig. 1A, element 108; col. 2, lines 51-65).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bailey in view of Mohaban in order to enable a transaction having a data field that includes a meta data field with data and a priority field with a requested priority. One would be motivated to do so in order to integrate applications into a policy-based networking system, and enable applications to participate in deciding how to apply a particular QoS to a traffic flow generated by the application (Mohaban, col. 4, lines 52-56).

The combination of Bailey and Mohaban does not explicitly teach overriding the priority based on the data in the meta data field with the requested priority included in the priority field of the incoming transaction.

However, Haumont teaches override the priority based on the data in the meta data field with the requested priority included in the priority field of the incoming transaction (Haumont, col. 9, lines 26-29).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Bailey and Mohaban in view of Haumont in order to override the priority based on the data in the meta data field with the requested priority included in the priority field of the incoming transaction. One would be motivated to do so in order to enable a QoS scheme which provides support for Internet applications and their QoS requirements in communications systems having a packet data transmission capability (Haumont, col. 7, lines 8-11).

The combination of Bailey, Mohaban and Haumont does not explicitly teach the data in the meta data field includes a particular partition of the network storage device.

However, Bell teaches the data in the meta data field includes a particular partition of the network storage device (Bell, page 7, paragraph 69).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Bailey, Mohaban and Haumont in view of Bell in order to enable the data in the meta data field includes a particular partition of the network storage device. One would be motivated to do so in order to enable redundant storage of, and access to, stored information that may be necessary for achieving minimum reliability and continuity of access required for the enterprise to serve its customers (Bell, page 1, paragraph 5).

23. With respect to claim 26, Bailey teaches the invention described in claim 22, including a method for managing transactions at a network storage device, comprising: receiving, at the network storage device, an incoming transaction; assigning, by an agent at the network storage device, a priority to the incoming transaction based on the data in the meta data field satisfying a condition (Bailey, page 9, paragraph 82); and the method wherein the priority based on the data (Bailey, page 9, paragraph 82).

Bailey does not explicitly teach a transaction having a data field that includes a meta data field with data and a priority field with a requested priority.

However, Mohaban teaches a transaction having a data field that includes a meta data field with data (Mohaban, Fig. 1A, elements 102, 104, 106; col. 2, lines 51-65) and a priority

field with a requested priority (Mohaban, Fig. 1A, element 108; col. 2, lines 51-65); and a usage policy (Mohaban, col. 11, line 34 – col. 12, line 4).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bailey in view of Mohaban in order to enable a transaction having a data field that includes a meta data field with data and a priority field with a requested priority. One would be motivated to do so in order to integrate applications into a policy-based networking system, and enable applications to participate in deciding how to apply a particular QoS to a traffic flow generated by the application (Mohaban, col. 4, lines 52-56).

The combination of Bailey and Mohaban does not explicitly teach overriding the priority based on the data in the meta data field with the requested priority included in the priority field of the incoming transaction.

However, Haumont teaches overriding, at the network storage device, the priority based on the data in the meta data field with the requested priority included in the priority field of the incoming transaction (Haumont, col. 9, lines 26-29).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Bailey and Mohaban in view of Haumont in order to override the priority based on the data in the meta data field with the requested priority included in the priority field of the incoming transaction. One would be motivated to do so in order to enable a QoS scheme which provides support for Internet applications and their QoS requirements in communications systems having a packet data transmission capability (Haumont, col. 7, lines 8-11).

The combination of Bailey, Mohaban and Haumont does not explicitly teach the data in the meta data field includes a particular partition of the network storage device.

However, Bell teaches the data in the meta data field includes a particular partition of the network storage device (Bell, page 7, paragraph 69).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Bailey, Mohaban and Haumont in view of Bell in order to enable the data in the meta data field includes a particular partition of the network storage device. One would be motivated to do so in order to enable redundant storage of, and access to, stored information that may be necessary for achieving minimum reliability and continuity of access required for the enterprise to serve its customers (Bell, page 1, paragraph 5).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia Baturay whose telephone number is (571) 272-3981. The examiner can normally be reached at 7:30am - 5pm, Monday - Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Pwu can be reached on (571) 272-6798. The fax number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Alicia Baturay/
Examiner, Art Unit 2446

August 30, 2010

/Benjamin R Bruckart/

Primary Examiner, Art Unit 2446